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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,304	02/07/2002	Katsushi Fujii	219202US6	7100

22850 7590 08/09/2005

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EXAMINER
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HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/067,304

Applicant(s)

FUJII ET AL.

Examiner

Ba Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin), in view of US patent application publication 2001/0023430 (Srinivasan).

- As for claims 1, 3-5: Dworkin teaches a computer implemented system and corresponding method connected to a network server (figure 2) for managing a first service of distributing contents in real-time according to a reservation made in advance by a first terminal, and, to a second terminal for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019), comprising the means/steps for:
  - acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service to the second terminal (0015, 0025),
  - generating means configured to generate the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation (0019-0021, 0025-0028)

providing means for providing the second service for the terminal as a result of authentication (0024, 0025).

Dworkin discloses that user account number and password are required for purchasing of service. Purchasing of service notification of services may be sent via email (0024). However, Dworkin fails to clearly teach sending distribution notice to the user together with authentication data and the user accesses the chat space and distributed contents in accordance with information of the provided distribution notice. However, in the same field of electronic conferencing, Srinivasan teaches sending notification message together with authentication data to attendees at scheduled conference time so as the attendees may access the conference space (Srinivasan's 0006). Thus it would have been obvious to one of skill in the art, at the time the invention was made, to combine Srinivasan's teaching of notification message to Dworkin. Motivation of the combining is for notifying the distribution of the conference space and access code. Although Dworkin teaches the generating of the chat space at scheduled time (0026), Dworkin fails to clearly teach that the chat space is generated at "predetermined time" prior to a distribution start time. However Official notice is taken that it would have been obvious to one of skill in the art, at the time the invention was made, to implement generating the chat space at "predetermined time" prior to a distribution start time. Motivation of the implementation is for avoiding schedule confliction and overlapping.

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- As for claim 2: Dworkin fails to clearly teach deleting the chat space at pre-determined time after distribution end time. However Official notice is taken that implementation of deleting the chat space at pre-determined time after distribution end time would have been obvious to one of skill in the art at the time the invention was made. Motivation of the implementation is for accounting and schedule management purposes.

### ***Response to Arguments***

Applicant's arguments filed 2/2/05 have been fully considered but they are not persuasive.

#### **REMARKS:**

In response to the applicant's argument that Dworkin does not teach a *chat space that "available coincident" to a streaming distribution* and *"both services being authenticated" in accordance with information provided to terminals in a distribution notice*, these limitation are not clearly recited in the claim. Amended claim 1 recites sending distribution notice to the user together with authentication data and the user accesses the chat space and distributed contents in accordance with information of the provided distribution notice, this limitation is read-on by the combination of Dworkin and Srinivasan as set forth in the rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh  
Primary examiner  
AU 2179  
8/5/05

**BA HUYNH  
PRIMARY EXAMINER**

